IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

DALTON GAGE HILL,   )
Administrator and Personal   )
Representative of the Estate of   )
Jeffery Allen Hill, deceased,   )
)
             Plaintiff,   )
)
v.   )   Case No. CIV-24-1298-D
)
OKLAHOMA COUNTY CRIMINAL   )
JUSTICE AUTHORITY, et al.,   )
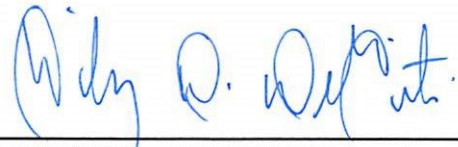   )
             Defendants.   )

ORDER

Plaintiff brought this civil rights action under 42 U.S.C. § 1983, alleging violations of Jeffery Allen Hill's constitutional rights [Am. Compl, Doc. No. 53]. Plaintiff filed suit against Dr. Mark Winchester and several other defendants. Dr. Winchester filed a Motion to Dismiss [Doc. No. 65], to which Plaintiff responded [Doc. No. 93], and Dr. Winchester replied [Doc. No. 105]. The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings in accordance with 28 U.S.C. § 636(b)(1)(B) and (C).

On July 8, 2025, the magistrate judge issued a Report and Recommendation [Doc. No. 115], in which she recommends that Dr. Winchester's Motion to Dismiss [Doc. No. 65] be **DENIED**. In her report, the magistrate judge notified the parties of their right to file an objection to the report on or before July 22, 2025, and that the failure to object waives the right to appellate review of both factual and legal issues contained in the report. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

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Upon review of the file and noting no timely objection to the findings and recommendations of the magistrate judge, the Court **ADOPTS** the Report and Recommendation [Doc. No. 115] in its entirety.

Because Plaintiff has stated a plausible § 1983 claim against Dr. Winchester, Dr. Winchester's Motion to Dismiss [Doc. No. 65] is **DENIED**. Further, the Court agrees with the magistrate judge's conclusion that Plaintiff has not alleged state-law tort claims or claims under the Oklahoma Constitution against Dr. Winchester. Accordingly, only Plaintiff's § 1983 claim against Dr. Winchester may proceed.

IT IS SO ORDERED this 23rd day of July, 2025.

TIMOTHY D. DeGIUSTI
Chief United States District Judge